

18 June 1842.—5 VICT.



(Ireland.)

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## B I L L

To enable Grand Juries at the ensuing Summer and Spring Assizes to make certain Presentments in Counties of Cities and Towns in Ireland, and to remove Doubts as to the Jurisdiction of Justices of the Peace in Places recently annexed to Counties at large in Ireland.

[Note.—The Words printed in *Italics* are proposed to be inserted in the Committee.]

**W**H<sup>EREAS</sup> by an Act passed in the Session of Parliament holden in the third and fourth years of the reign of Her present Majesty, intituled, "An Act for the Regulation of Municipal Corporations in Ireland," it was enacted, that the boundaries of the several boroughs named in Schedule (A.) to that Act annexed should for the purposes of that Act be taken to be according to the description of such boundaries set forth in Schedule (C.) to that Act annexed; and by another Act passed in the same Session of Parliament, intituled, "An Act to annex certain Parts of certain Counties of Cities to adjoining Counties, to make further Provision for Compensation of Officers in Boroughs, to limit the Borough Rate, and to continue for a limited Time an Act to restrain the Alienation of Corporate Property in Ireland," it was enacted, that, for the purposes of the said first-recited and of that Act, all places locally situate or included within the boundaries of any of the boroughs of Cork, Dublin, Kilkenny, Limerick, Waterford and Drogheda, as defined under the said first-recited Act, should, from and after the time when the said Act secondly above mentioned should come into operation, be deemed and taken to be part or parts of the county of the city or county of the town of such borough respectively, and of no other county; and every portion, place or precinct of every county of a city

318.

Preamble:  
3 & 4 Vict.  
c. 108, s. 20.

3 & 4 Vict.  
c. 103.

or

or county of a town not under the said Acts included, within any such borough, should, until provision in that behalf should be otherwise made, under and by virtue of the said last-mentioned Act, be one barony in itself, and should for all purposes of Grand Jury Presentments and of Criminal Jurisdiction, and also of Civil Jurisdiction of the Superior Courts of Common Law in Dublin, be part of the county at large which was adjacent to it, or with which it had the largest common boundary. 5

And whereas the said Act secondly above recited came into operation in some of the said boroughs, after the Summer Assizes of the year of our Lord One thousand eight hundred and Forty-one: 10

And whereas under the said recited Acts certain parts or portions only of the old liberties of some of the cities and towns therein intensioned are included within the boundaries of the counties of such cities or towns or boroughs as defined under the provisions of the said Acts, and other parts or portions of the liberties of the same cities or towns, not being within such boundaries, have, for the purposes of Grand Jury Presentments, among others, become part of the adjoining counties; but difficulties have been found to exist in respect of the making Presentments for Public Works within the same: 15 20

And whereas contracts have been entered into by the Grand Juries of the same cities and towns, or some of them, for keeping in repair roads in the liberties thereof, some portions being within and other portions being without the boundaries of the said boroughs as defined under the said Acts; and doubts have arisen as to the manner in which monies to be presented by the Grand Juries of the counties of the same cities and towns, and of the adjoining counties respectively, in respect of such contracts, should be apportioned: 25

And whereas the respective Grand Juries assembled at the Spring Assizes in the present year, holden for certain of the said counties of cities or counties of towns, made divers Presentments; but the warrants of the respective Treasurers of the counties of such cities or towns under such Presentments would not extend to any part of the liberties or suburbs of any of the said cities or towns annexed under the provisions of the said Acts or either of them to an adjoining county; and it is expedient that provision should be made to remedy such difficulty; 30 35

**Be it therefore Enacted**, by The QUEEN's most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled,

assembled, and by the Authority of the same, THAT all Presentments made at the last Spring Assizes or at any previous Assizes in and for any county of a city or county of a town in Ireland, not levied before the passing of this Act, shall and may be levied and raised off such city or town, and the suburbs and liberties thereof, as the same existed before the passing of the said recited Acts, in like manner and by the like means in all respects as if the said Acts had not been passed.

1.  
Presentments made at last or previous Assizes may be levied off the old Boundaries.

And be it Enacted, That all Presentments which might have been legally made at the last Spring Assizes in and for any county of a city or town in Ireland, and all sums of money which might have been then legally added by the Treasurer of any such city or town to such Presentments, but which were not so presented or added, may be presented and added at the next Summer Assizes to be holden in and for such county of a city or town by the Grand Jury of each county of a city, and be raised and levied off the city, suburbs and liberties of the same cities or towns, as the same existed prior to the passing of the said recited Acts, in like manner in all respects as if the said recited Acts had not been passed.

2.  
Presentments not made at last Assizes may be made at the next.

And be it Enacted, That at the next ensuing Summer and Spring Assizes to be holden for counties of cities or towns in Ireland, it shall and may be lawful to and for the Grand Jury of each county of a city or town to present all and every such sum and sums as may become due and payable in respect of any debt incurred or contract entered into, pursuant to laws in force in Ireland relating to Grand Jury Presentment, previous to the said Acts coming into operation within each such county of a city or town respectively; and that all and every such sum or sums when so presented shall be apportioned, levied and raised off the city, suburbs and liberties of the same cities or towns, as the same existed prior to the passing of the said recited Acts, in like manner in all respects as if the said recited Acts had not been passed.

3.  
Grand Jurors of Counties of Cities and Towns may at the next Summer and Spring Assizes present off the old Boundaries for old Debts and Contracts.

AND whereas doubts have arisen with respect to the extent of the jurisdiction of the Justices assigned or hereafter to be assigned to keep the peace in and for the respective counties at large to which any portion, place or precinct has been or hereafter may be added by virtue of the said recited Acts, or either of them; BE it therefore Enacted, That from and after the passing of this Act, the Justices assigned or hereafter to be assigned to keep the peace in and for any county at large to which any part or district of any county of a city or county of a town shall have been added by virtue of the said Acts, or either of them, shall exercise the jurisdiction of Justices of the Peace in and for such part or district, as fully as by law they and each

4.  
Justices of Counties at large to which portions of Counties of Cities &c. shall have been added, shall exercise jurisdiction as Justices in the portions so added.

each of them can or ought to do in and for such county at large.

5.  
Interpre-  
tation  
Clause.

And be it Enacted, That in the construction of this Act every word importing the singular number only shall extend and be applied to several persons or things as well as one person or thing, and every word importing the masculine gender shall be applied to a female as well as a male, unless there be something in the subject or context repugnant to such construction respectively.

6.  
Act may be  
amended, &c.

And be it Enacted, That this Act may be amended or repealed by any Act to be passed in this present Session of Parliament.

## Grand Jury Presentments.

(Ireland.)

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B I L L

To enable Grand Juries at the ensuing Summer and Spring Assizes to make certain Presentments in Counties of Cities and Towns as Ireland, and to remove Doubts as to the Jurisdiction of Justices of the Peace in Places recently annexed to Counties at large in Ireland.

(Prepared and brought in by  
Lord Elliot, and Mr. Solicitor General for  
Ireland.)

Ordered, by The House of Commons, to be Printed,

18 June 1849.

318.

Under 1 cc.